

ZB# 04-26

John & Gloria Brown

77-2-14

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 5-10-04

ZBA # **04-26** JOHN & GLORIA BROWN
2702 COLONIAL DR. (AREA) (77-2-14)

Gloria + John Brown

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: March 12, 2004

**APPLICANT: John & Gloria Brown
2707 Colonial Drive
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/11/04

FOR : Fence

LOCATED AT: 2702 Colonial Drive

ZONE: R-3 Sec/Blk/ Lot: 77-2-14

DESCRIPTION OF EXISTING SITE: Existing one-family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 6ft. fence will project closer to the road than the existing house. This is a corner lot.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: 48-14-C-1-(C-1) Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

APPROVED

04-26

COPY

G (PRO.) LIBERTY RIDGE STREET

104 3 (3)	104 4 (4)	104 5 (5)	104 6 (1)	104 7 (7)	104 8 (8)	104 9 (9)	104.5 10 (10)	107.4 11 (11)	127.9 12 (12)
(21) 21 100	(20) 20 100	(19) 19 100	(18) 18 100	17 17 100	(16) 16 100	(15) 15 100	100 14 100	100 13 100.2	135.5 12 122.7

(PRO.) Cherry Tree STREET Way

100 4 (4)	100 5 (5)	100 6 (2)	100 7 (7)	100 8 (8)	100 9 (9)	100 10 (10)	100 11 (11)	100.2 12 (12)	149.1 13 (13)
(24) 24 100	(23) 23 100	(22) 22 100	(21) 21 100	(20) 20 100	(19) 19 100	(18) 18 100	(17) 17 100	(16) 16 100	(15) 15 100

(PRO.) Colonial Drive STREET

100 4 (4)	100 5 (5)	100 6 (6)	100 7 (7)	100 8 (8)	100 9 (9)	100 10 (10)	100 11 (11)	100 12 (12)	100 13 (13)	115 14 (14)
(26) 26 100	(25) 25 100	(24) 24 100	(23) 23 100	(22) 22 100	(21) 21 100	(20) 20 100	(19) 19 100	(18) 18 100	(17) 17 100	(16) 16 100

STREET

J MC

A MOUNT

(PRO.)

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

COPY

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

MAR 11 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit # 2004-316

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises JOHN E. AND GLORIA BROWN

Address 2702- Colonial Dr. New Windsor, NY Phone # 845 367-1849

Mailing Address SAME Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor John Falvella Fence Co.

Address 457 - Route 17K ROCK TAVERN, NY Phone 845-564-1276

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the North side of Colonial Drive
(N,S,E or W)
and _____ feet from the intersection of Independence Dr and Colonial

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N ☒

3. Tax Map Description: Section 77 Block 2 Lot 14

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? YES

Fence 6' Vinyl

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 4800. - 5662. ⁰⁰ Fee 

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

John E Brown
(Signature of Applicant)

Gloria Brown
(Address of Applicant)

2702-Colonial Drive, New Windsor, NY

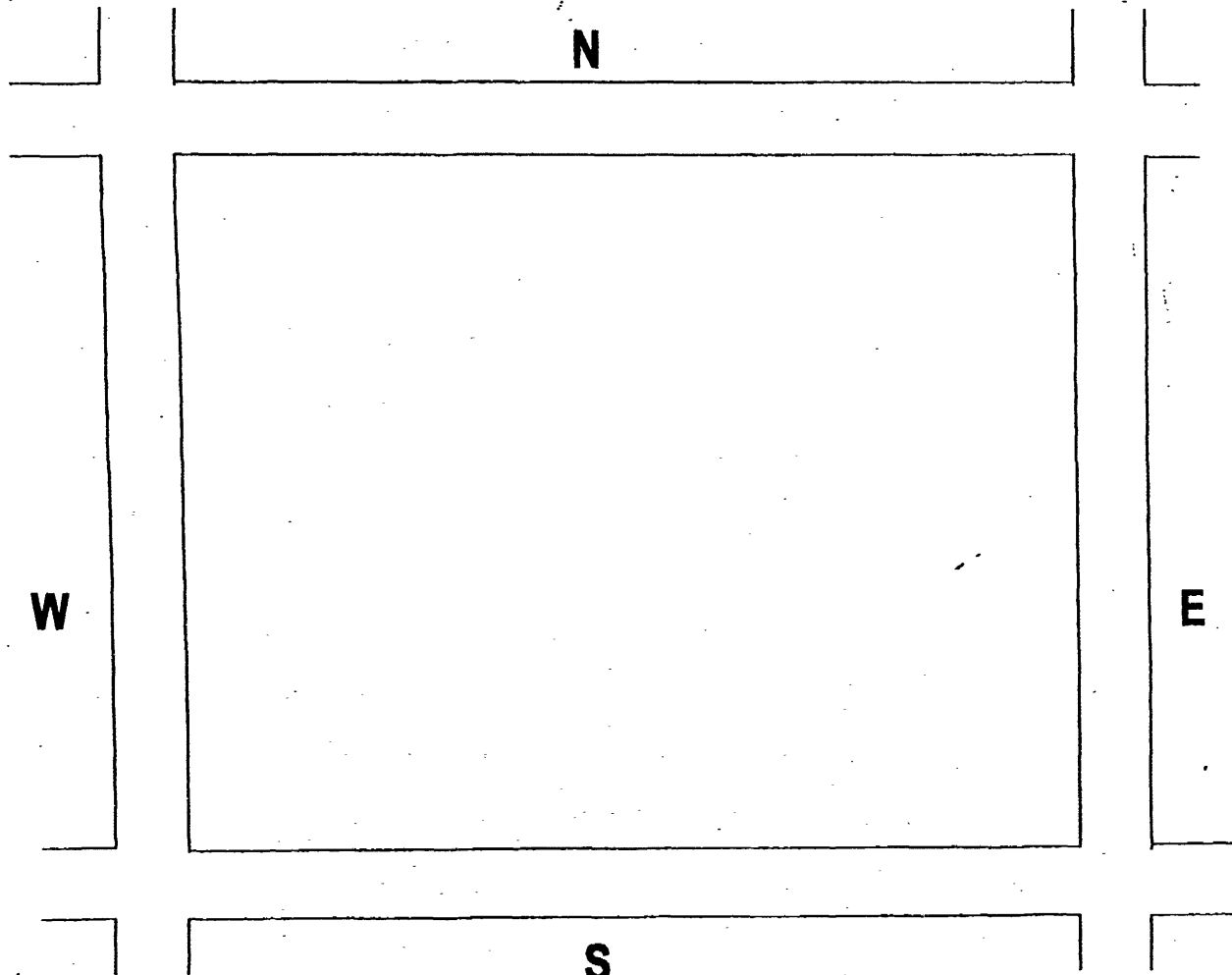
2702-Colonial Dr New Windsor, NY

(Owner's Signature)

PLOT PLAN

(Owner's Address)

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

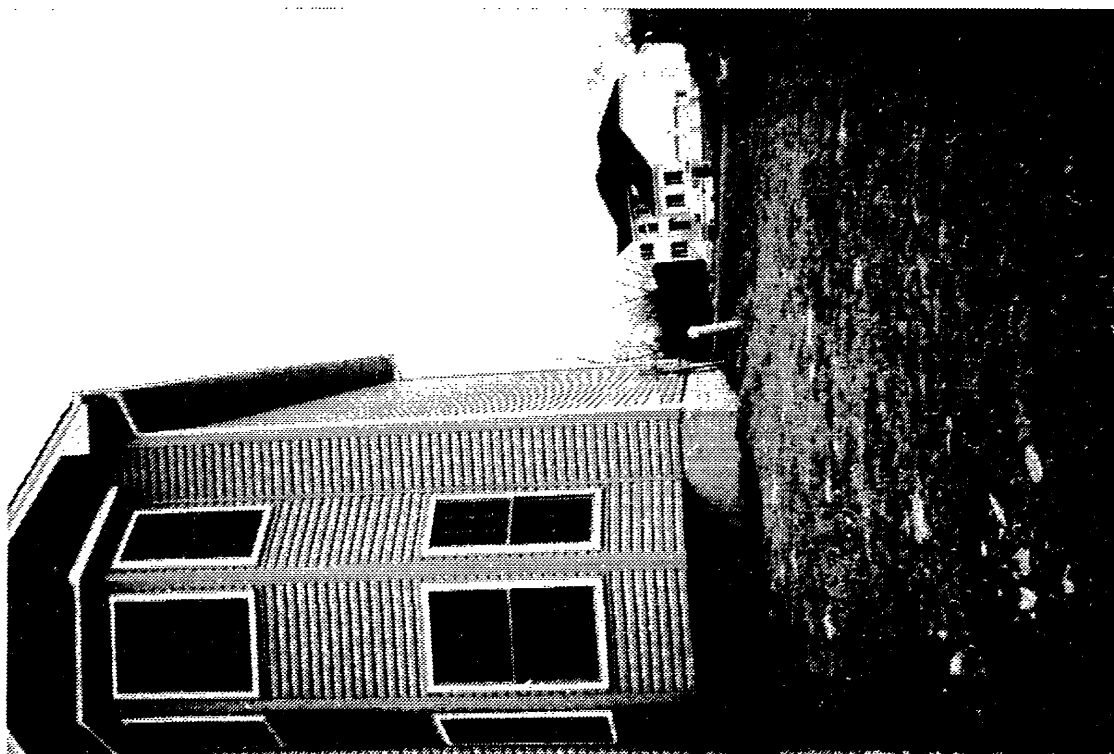


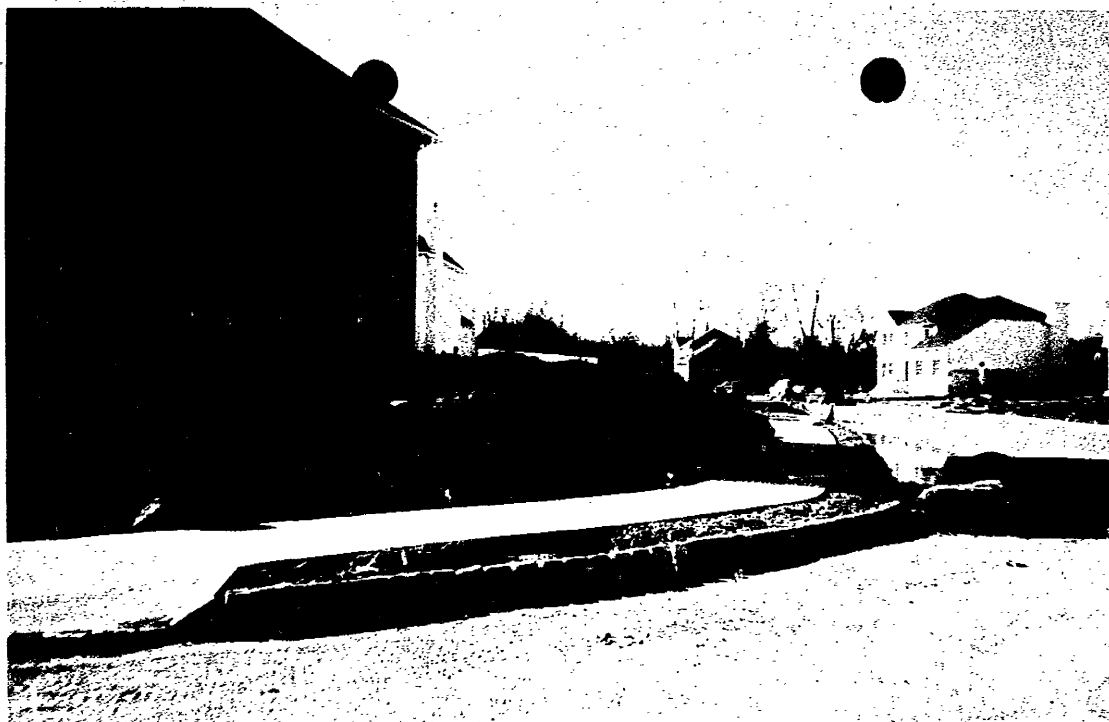












NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 77-2-14

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

JOHN & GLORIA BROWN

AREA

CASE #04-26

WHEREAS, John Brown , owner(s) of 2702 Colonial Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 6 ft. fence to project closer to the road than existing house (48-14-C-1-(C-1) at 2702 Colonial Drive in an R-3 Zone (77-2-14)

WHEREAS, a public hearing was held on May 10, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The property is located on the corner of two adjacent public highways. Although the property appears to have visually to have only one front yard.
 - (c) The applicant seeks to construct a fence for privacy and safety issues.

- (d) The fence proposed by the applicant will be a solid fence.
- (e) In constructing the fence, the applicant will not remove any trees or substantial vegetation.
- (f) The fence will not be on top of or interfere with any easements including, but not limited to, water, sewer and electric.
- (g) The fence will not prohibit the vision of motorists or impair the safe operation of motor vehicles on the adjacent roadways.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

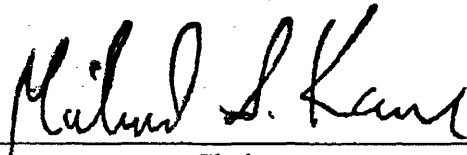
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 6 ft. fence to project closer to the road than existing house (48-14-C-1-(C-1) at 2702 Colonial Drive in an R-3 Zone (77-2-14) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: May 10, 2004

A handwritten signature in black ink, reading "Michael S. Kane", is written over a horizontal line.

Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

August 10, 2004

John & Gloria Brown
2702 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-26

Dear Mr. & Mrs. Brown:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 6-28-04
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 197.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-26

NAME & ADDRESS:

**John & Gloria Brown
2702 Colonial Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.6-28-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-26 TYPE: AREA

APPLICANT Name & Address:

**John & Gloria Brown
2702 Colonial Drive
New Windsor, NY 12553**

TELEPHONE: 567-1849

RESIDENTIAL:	\$ 50.00	CHECK # <u>743</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 1260

~~~~~

| <u>DISBURSEMENTS:</u>        |                | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|----------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ____ PAGES     | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>3</u> PAGES | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ____ PAGES     | \$ _____                               | \$ _____                      |

TOTAL:      \$ 33.00      \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 103.00

AMOUNT DUE: \$ _____

REFUND DUE: \$ 197.00

Cc:

JOHN BROWN (04-26)

MR. KANE: Request for 6 ft. fence to project closer to the road than existing house at 2702 Colonial Drive in an R-3 zone.

Mr. and Mrs. John Brown appeared before the board for this proposal.

MR. KANE: Doesn't look like there's anybody here. Tell us what you want to do, sir.

MR. BROWN: Just want to put a 6 foot fence around the back of the property.

MR. KANE: We're getting all the corner lots from there, aren't we? Main concern how high is the fence?

MR. BROWN: Six foot.

MR. KANE: Main concern on the Independence Drive area do you believe that the fence will not inhibit the vision of any cars coming up there?

MR. BROWN: Absolutely not.

MR. KANE: Cutting down any trees or shrubbery?

MR. BROWN: No.

MR. KANE: There's not a tree to be seen.

MR. BROWN: Weeds and rocks all over the place, that's it.

MR. KANE: Any water hazards or runoffs with the building of it?

MR. BROWN: No.

MR. KANE: Any easements?

MR. BROWN: No easements.

MR. KANE: And the reason you're putting up the fence?

MR. BROWN: For privacy and I have two dogs.

MR. KANE: Privacy and safety issues?

MR. BROWN: Yes.

MR. REIS: What type of fence is it going to be?

MR. BROWN: It's a maintenance free vinyl fence.

MR. REIS: Solid fence?

MR. BROWN: Yes.

MR. KANE: At this point, I'll open it up to the public and ask if there's anybody that wants to speak on this? Seeing that there's nobody there, we'll close the public portion of the hearing, ask Myra about the mailings.

MS. MASON: On April 20th, I mailed out 43 envelopes, no responses.

MR. KANE: Any other questions? Are we putting a deck on?

MR. BROWN: No.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we grant Mr. Brown's request for 6 foot fence to project closer to the road

than the existing house at 2702 Colonial Drive.

MR. MINUTA: Second it.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

MR. KANE: Motion to adjourn?

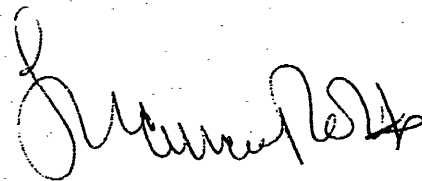
MR. REIS: So moved.

MR. MINUTA: Second it.

ROLL CALL

MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

Respectfully Submitted By:



Frances Roth
Stenographer

JOHN BROWN (04-26)

MR. KANE: Request for 6 ft. fence to project closer to the road than existing house at 2702 Colonial Drive in an R-3 zone.

Mr. and Mrs. John Brown appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MR. BROWN: We just want to put a 6 foot fence because more space and on the left side of the house is 12 or 13 feet so if we put it right towards to the right side of the house, it would be uneven. So we wanted to space it out a little more.

MR. KANE: And the reason they're here is two front yards?

MR. BABCOCK: That's correct.

MR. KANE: The fence itself is the main thing on this fence, it's not going to block any view of traffic coming down the road?

MR. BROWN: Absolutely not.

MR. KANE: And the height of the fence itself is similar to other fences that you have seen in the area?

MR. BROWN: Yeah, a lot of fences there.

MR. MC DONALD: It's not, it's a regular stockade fence?

MR. BROWN: It's a white vinyl.

MR. MC DONALD: It's not protruding over any easements or any water, sewer or anything like that?

MR. BROWN: No.

MR. KANE: You won't be cutting down any trees or substantial vegetation?

MR. BROWN: No.

MR. RIVERA: Creating any hazards for drivers at the corners?

MR. BROWN: No cause there's really 25 feet from the curb to the end of the house, we're only going, we only want 12 feet, we have a dog who will jump right over the 4 foot fence, so that took care of that problem.

MR. KANE: You're coming 12 feet off the house to the fence and then there will be 13 feet from the fence to the roadway?

MR. BROWN: Right.

MRS. BROWN: Actually, 13 still on our property and still the area between our property and the end.

MR. KANE: Good, okay, the only thing that I will request for the public hearing if you would is just a picture from the, showing that side to the roadway so we have it in our files, we just don't have one of those.

MR. BROWN: Okay.

MR. KANE: Gentlemen?

MR. MC DONALD: Accept a motion?

MR. KANE: Yes.

MR. MC DONALD: Make a motion that we set Mr. John

April 12, 2004

25

Brown up for his public hearing for his request for a 6 foot fence to project closer to the road than the existing house at 2702 Colonial Drive.

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. KANE	AYE



May 10, 2004

John Brown

04-26

P.B.#

PROXY

[illegible]

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 03-29-2004

FOR: ESCROW 04-26

FROM: JOHN & GLORIA BROWN

2702 COLONIAL DRIVE

NEW WINDSOR, NY 12553

Correct Address

CHECK NUMBER: 1260

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

[Signature]
3/30/04

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#314-2004

03/30/2004

ZBA 04-26 application
Brown, Gloria

Received \$ 50.00 for Zoning Board Fees, on 03/30/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

-----X

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 04-26

Request of JOHN BROWN

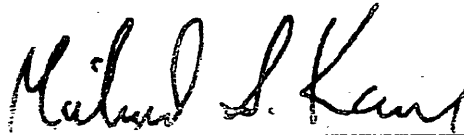
for a VARIANCE of the Zoning Local Law to Permit:

Request for 6 ft. fence to project closer to the road than existing house being a VARIANCE of Section (48-14-C-1-(C-1))

for property located at: 2702 Colonial Drive in an R-3 Zone

known and designated as tax map Section 77 Block 2 Lot 14

PUBLIC HEARING will take place on May 10, 2004 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

April 15, 2004

John Brown
2707 Colonial Drive
New Windsor, NY 12553

Re: 77-2-14 ZBA# 04-26

Dear Mr. Brown:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00 , minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in cursive script that reads "J. Todd Wiley".

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Planning Board

64-2-24&25, sec. 77 (various)
Mt. Airy Estates, Inc.
c/o Sarna Enterprises
15 Engle Street – Suite 100
Englewood, NJ 07631

77-2-9
Antonio & Maria Tommasi
2809 Cherry Tree Way
New Windsor, NY 12553

77-2-12
Ramon Cardona, Jr. & Sr.
2803 Cherry Tree Way
New Windsor, NY 12553

77-2-16
Maria Stewart
2706 Colonial Drive
New Windsor, NY 12553

77-2-19
New Windsor Development Co., LLC
16 Microlab Road – Suite A
Livingston, NJ 07039

77-3-2
James & Nancy Keating
2207 Reveres Run
New Windsor, NY 12553

77-3-5
Gerard Hopkins
2018 Independence Drive
New Windsor, NY 12553

77-4-2
James & Maritza Shapiro
2210 Reveres Run
New Windsor, NY 12553

77-4-5
Michael & Holly Stark
2204 Reveres Run
New Windsor, NY 12553

77-5-2
Juan & Andriana Gonzalez
2017 Independence Drive
New Windsor, NY 12553

32-2-53
Newburgh Water Supply
City Comptroller
City Hall
Newburgh, NY 12550

77-2-10
Matthew & Cheri Elliott
2807 Cherry Tree Way
New Windsor, NY 12553

77-2-13
Larry Frazier
2801 Cherry Tree Way
New Windsor, NY 12553

77-2-17
Christopher & Jennifer Bautista
2708 Colonial Drive
New Windsor, NY 12553

77-2-20
John & Nicole White
2714 Colonial Drive
New Windsor, NY 12553

77-3-3
Robert & Erinn Chatfield
2205 Reveres Run
New Windsor, NY 12553

77-3-6
Tyree & Carolyn Smallwood
2020 Independence Drive
New Windsor, NY 12553

77-4-3
Thomas & Doreen Gleason
2208 Reveres Run
New Windsor, NY 12553

77-4-6
Solomon & Aileen Vilda
2202 Reveres Run
New Windsor, NY 12553

77-6-9
James Porter & Leo Mathelier
2711 Colonial Drive
New Windsor, NY 12553

65-1-64
Wilma Fehrs-Foss
813 Queen Elizabeth Drive
Virginia Beach, VA 23452

77-2-11
Antonio & Laura Nastro
2805 Cherry Tree Way
New Windsor, NY 12553

77-2-15
Yves & Barbara Boudreau
2704 Colonial Drive
New Windsor, NY 12553

77-2-18
Laverne Bey
2710 Colonial Drive
New Windsor, NY 12553

77-3-1
William & Felicia Greehey
2209 Reveres Run
New Windsor, NY 12553

77-3-4
Scott & Cyndee Weiss
2203 Reveres Run
New Windsor, NY 12553

77-4-1
Christopher & Helen Lynch
2212 Reveres Run
New Windsor, NY 12553

77-4-4
Michael & Christine Masterson
2206 Reveres Run
New Windsor, NY 12553

77-4-7
Adam & Madiam Strauss
2014 Independence Drive
New Windsor, NY 12553

77-6-10
Neal & Theresa Iaquina
2709 Colonial Drive
New Windsor, NY 12553

77-6-11

Amir & Farida Islam
2707 Colonial Drive
New Windsor, NY 12553

77-6-12

Dorcas Peralta
2705 Colonial Drive
New Windsor, NY 12553

77-6-14

Jeffrey & Giuseppina Saracino
2701 Colonial Drive
New Windsor, NY 12553

77-6-18

Terry Lee Armstrong, Sr.
Shirlyn Manzana Armstrong
2608 Liberty Ridge
New Windsor, NY 12553

77-6-19

Yelena Lakhman
2610 Liberty Ridge
New Windsor, NY 12553

77-6-20

David & Ellen Olsen
2612 Liberty Ridge
New Windsor, NY 12553

77-6-21

Francisco Soto, Jr.
Cynthia Diaz
2614 Liberty Ridge
New Windsor, NY 12553

77-7-7

John & Marilyn Kresevic
2613 Liberty Ridge
New Windsor, NY 12553

77-7-8

Richard & Rose Marie Rose
2611 Liberty Ridge
New Windsor, NY 12553

77-7-9

Daniel & Diana Morales
2609 Liberty Ridge
New Windsor, NY 12553

77-7-10

German Delgado & Olga Escobar
2502 Constitution Way
New Windsor, NY 12553

77-9-1

Anthony & Tracy Albanese
2301 Pioneer Trail
New Windsor, NY 12553

77-9-2

Peter & Vivian Melendez
2303 Pioneer Trail
New Windsor, NY 12553

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: 04-13-04 PROJECT NUMBER: ZBA# 04-26 P.B. # _____

APPLICANT NAME: JOHN BROWN

PERSON TO NOTIFY TO PICK UP LIST:

JOHN BROWN
2707 COLONIAL DRIVE
NEW WINDSOR, NY

TELEPHONE: 567-1849

TAX MAP NUMBER: SEC. 7 BLOCK 2 LOT 14
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 2707 COLONIAL DRIVE
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 744

TOTAL CHARGES: _____



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

April 22, 2004

John & Gloria Brown
2702 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-26

Dear Mr. & Mrs. Brown:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2702 Colonial Drive
New Windsor, NY 12553

is scheduled for the May 10th, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



RESULTS OF Z.B.A. MEETING OF:

April 18, 2004

PROJECT: John + Gloria Brown

ZBA # 04-26
P.B.#

USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:
RIVERA A
MCDONALD A
REIS _____
MINUTA A
KANE _____

M) Mc S) Rv VOTE: A 3 N 0
CARRIED: Y ✓ N _____

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED:

M) _____ S) _____ VOTE: A _____ N _____

RIVERA _____
MC DONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

Need picture from side showing Roadway



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

March 29, 2004

John & Gloria Brown
2702 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-26

Dear Mr. & Mrs. Brown:

This letter is to inform you that you have been placed on the April 12th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2702 Colonial Drive
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

3/25/04
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. Owner Information:

Phone Number: (845) 567-1849
Fax Number: ()
JOHN E AND GLORIA BROWN
(Name)
2702 Colonial Dr. New Windsor, NY 12553
(Address)

II. Applicant:

SAME AS ABOVE
(Name)
Phone Number: ()
Fax Number: ()
(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: ()
Fax Number: ()
SAME AS ABOVE
(Name)
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number (845) 564-1276
Fax Number: (845) 564-6993
John Falabella
(Name)
457- Route 17K, ROCK TAVERN, NY 12575
(Address)

V. Property Information:

- Zone: R-3 Property Address in Question: 2702 Colonial Dr New Windsor, NY/12553
• Lot Size: _____ Tax Map Number: Section 77 Block 2 Lot 14
• a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? 7/30/04
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

We believe our request for a variance
to utilize our property for the extension of a 6ft privacy
privacy fence outside the designated area where it ~~would~~ be allowed
would not in any way cause detriment to the health, safety and
welfare of the neighborhood. Nor will it cause an undesirable change in
the character of the neighborhood or will any detriment to nearby
properties be caused by the granting of a variance. We are trying to
create an area of privacy for our family to enjoy and at the same
time create an area that is safe for our pets. We are only
requesting the variance to part of the area in question, still leaving
a major part untouched and will at a later date compliment
the remaining area with some landscaping that will include
trees, shrubbery and possibly some landscape lighting.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

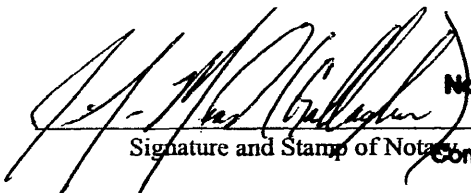
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29th day of March 2004.

Gloria Brown x Gloria Brown
Owner's Signature (Notarized)

Gloria Brown
Owner's Name (Please Print)


Signature and Stamp of Notary

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).

Gloria Blower
SIGNATURE

3/25/04
DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.
(JULY AND AUGUST – ONE MEETING PER MONTH ONLY)